

AMENDMENT UNDER 37 C.F.R. § 1.111
Application Serial No. 10/665,732
Attorney Docket No. Q77603

REMARKS

Upon entry of the present Amendment, claims 1-2, 6 and 12-27 are all the claims pending in the application. Claim 1 is amended, and claims 3-5 and 7-11 are canceled without prejudice or disclaimer. Further, new claims 12-27 are added.

To summarize the Office Action, claims 1 and 3-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Jackson et al. (U.S. Patent No. 5,706,038, hereinafter “Jackson”), and claims 2 and 6-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jackson. Applicant traverses the outstanding grounds of rejection.

Claim Rejections - 35 U.S.C. § 102

Claim 1 defines a liquid ejecting apparatus comprising, *inter alia*, a wiping member that includes a body part, a wiping part formed at a tip of the body part for abutting a liquid ejecting head, and a support part supporting the body part. In addition, claim 1 recites that the support part is formed inside the wiping part.

Applicant submits that Jackson fails to teach or suggest all the features of claim 1. For instance, Jackson teaches a wiper assembly 60 for an inkjet printing mechanism 20 which includes a main wiper member 64 which has a wiping edge 65 for cleaning ink spray from regions adjacent to the nozzles of a printhead 34 of the printing mechanism. *See* Jackson at col. 4, lines 41-59. Further, Jackson teaches that a foam block 70 provides lateral support for the wiper blade during wiping by biasing the blade in an upright position relative to the path of travel for the printhead, so that the edge may provide a firm surface for wiping the printhead. *See* Jackson at col. 5, lines 21-25.

However, Jackson fails to provide any teaching or suggestion *at least* for the feature of the support part is formed inside the wiping part. In an exemplary embodiment of the present invention, the wiping part can be supported from the inside of the wiping part, and the wiping mechanism may therefore be made smaller than a wiping part having a support part placed outside the wiping part. *See, e.g.*, Specification at page 16 and Figures 5 and 6. Conversely, Jackson merely teaches that a foam block is provided external to the wiper blade to provide lateral support. Thus, the external foam block configuration of Jackson fails to teach or suggest an support part formed inside the wiping part, as required by claim 1.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 is requested. Further, claims 2 and 6 are believed to be allowable at least by virtue of depending from claim 1. In addition, Applicant notes that the rejection of dependent claims 3-5 and 7-11 is moot because these claims have been cancelled without prejudice or disclaimer.

New Claims

In order to provide additional claim coverage merited by the scope of the invention, Applicant is adding new claims 12-27. These claims are believed to be allowable at least for the reasons discussed below.

Independent claim 12

Claim 12 defines a liquid ejecting apparatus comprising, *inter alia*, a carriage, reciprocating; a liquid ejecting head, mounted on the carriage, and having a nozzle forming face

from which liquid is ejected; and a wiping member, wiping the nozzle forming face in accordance with a movement of the carriage. Further, the wiping member includes a body part; a wiping part, formed at a tip of the body part for abutting the liquid ejecting head; and a plurality of support parts, supporting the body part. As recited by claim 12, the support parts are provided on a face of the wiping part that is opposite to a wiping face of the wiping part which the liquid ejecting head abuts.

Applicant submits Jackson fails to teach or suggest all the features of claim 12. For instance, Jackson fails to teach or suggest *at least* the feature of the plurality of support parts provided on a face of the wiping part that is opposite to a wiping face of the wiping part which the liquid ejecting head abuts. As noted above, Jackson teaches that foam block 70 provides lateral support for the wiper blade during wiping by biasing the blade in an upright position relative to the path of travel for the printhead. *See* Jackson at col. 5, lines 21-25 and Figures 2 and 3. Further, the only embodiment suggested by Jackson in which more than one support part is provided is the “dual support wiper assembly” depicted in Figures 5 and 6, where the wiper assembly is “flanked” by two foam blocks, one on each side of the wiper blade. *See* Jackson at col. 6, lines 43-54.

Applicant additionally notes that the Examiner alleged that the recitation of claim 11, which required “the support part is a plurality of support parts” would have been obvious because merely making more than one of a component involves only routine skill in the art. However, even if the foam block of Jackson were duplicated, which is disclosed as having the same width as the wiper blade, the second foam block would necessarily be located on the

opposite side of the wiper blade, as in the flanking configuration discussed above. There is clearly no suggestion in Jackson to modify the single piece foam block to provide a plurality of support parts on a wiping part opposite to the wiping face. By virtue of the configuration defined by claim 12, the body part of the wiping member can be supported more effectively. In addition, the claimed plurality of support parts provides a pressing force at the point of abutting the liquid ejecting head and an arrangement of the plurality of support parts with respect to the wiping part which may be adjusted. *See, e.g.*, Specification at pages 17-18 and Figures 9-10.

Therefore, claim 12 is believed to be allowable because Jackson fails to teach or suggest all the recited features. Further, new claims 13-18 are believed to be allowable at least by virtue of depending from claim 12.

Independent claim 19

Claim 19 defines a liquid ejecting apparatus comprising, *inter alia*, a carriage, reciprocating; a liquid ejecting head, mounted on the carriage, and having a nozzle forming face from which liquid is ejected; and a wiping member, wiping the nozzle forming face in accordance with a movement of the carriage. The wiping member includes a body part; a wiping part, formed at a tip of the body part for abutting the liquid ejecting head; and a support part, supporting the body part. Further, claim 19 requires the support part is formed such that a sectional area of the support part parallel with a bottom face of the support part becomes smaller toward the tip from the bottom face.

Applicant submits that Jackson fails to teach or suggest all the features of claim 19. For instance, Jackson does not suggest a support part formed such that a sectional area of the support

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part parallel with a bottom face of the support part becomes smaller toward the tip from the bottom face. Rather, the foam block 70 of Jackson is merely a square block shaped member clearly lacking the recited structure.

Conversely, in the liquid ejecting apparatus defined by claim 19, the stress from the upper part of the support part can be decreased and the stress from the lower part of the support part can be increased when the wiping part bends and gives pressure to the support part. Thus, since the wiping part is supported by the claimed support part, the pressure for pressing the upper part of the wiping part against the liquid ejecting head can be increased while the adhesion properties (i.e., flexibility) of the wiping part to the liquid ejecting head is maintained.

Moreover, Applicant disagrees with the Examiner's allegation changing the shape of the support part is "generally recognized within the level of ordinary skill in the art", as in the rejection of claims 2 and 8-10. *See* Office Action at pages 4-6. The Examiner has provided no motivation to change the foam block shape taught by Jackson. Rather, the Examiner offers only a conclusory opinion unsupported by any disclosure of the Jackson reference. Applicant submits that such conclusory allegations are insufficient to establish *prima facie* obviousness. *In re Zurko*, 258 F.3d 1380, 1386, 59 USPQ2d 1694, 1697 (Fed. Cir. 2001) (holding that general conclusions concerning what is "basic knowledge" or "common sense" to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings will not support an obviousness rejection); *In re Lee*, 277 F.3d 1338, 1343-1344, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002) (stating that the "factual question of motivation is material to patentability, and [can] not be resolved on subjective belief and unknown authority.")

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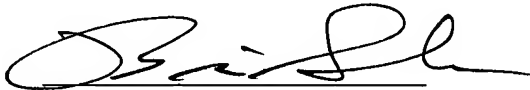
For at least the foregoing reasons, new claim 19 is believed to be allowable. Further, new claims 20-27 are believed to be allowable at least by virtue of depending from claim 19.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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